

## **REMARKS**

Claims 1, 13, 17, and 24 have been amended. Thus, Claims 1-7, 9, 11-21, and 23-24 are pending in the present application.

### **Claim rejection under 35 USC §102:**

The Examiner rejected claims 1-7, 9, 13, 15, 17-18, 21 and 24 under 35 USC §102(b) as being anticipated by Oran. Applicant amended the independent claim 1, 13, and 17 to more clearly define the present invention.

The present invention is related to automation system software which requires constant monitoring of current information provided by the system. To this end the system provides for a display with a primary display region and at least one window area, usually a main window area, in which, for example, debug information or running variables are displayed. According to the invention a peripheral display region is provided which includes message indicators superimposed over that peripheral region. Once a user activates such an indicator, the system will display the respective message. According to the present invention, a pop-up window will be placed within the window area of the primary display region in such a way that it does not obstruct the information displayed in the window area. These specific features of an automation system software are disclosed in the original specification in particular with respect to Fig. 7. The claims have been amended respectively. No new matter has been introduced.

The reference Oran is related to general software application and does not mention automation systems. Thus, this reference is not concerned with the specific problems and requirements of an automation software. The amended independent claims now more clearly state specific elements of an automation system software, such as, the window area for displaying information for an industrial information system. Thus, even if a person skilled in the art would consider Oran, Oran does neither mention nor suggest to provide for a non-obstructive pop-up window function which is placed within a window area of the primary display region that displays information for the automation system and at the same time does not obstruct that information. Oran, on the contrary, discloses in one application as shown in Fig. 4 to display a pop-up window 34 which is located partly on the desktop area of the primary display are and

partly on the peripheral display region. However, Oran does not disclose to display pop-up window 34 within a window area in the primary display region.

The second type of pop-up window disclosed by Oran is shown in Fig. 5 of Oran. However, because Oran is not concerned with the particularities of automation system software, this embodiment of Oran works exactly like the prior art systems disclosed with respect to Fig. 1b of the present application. Even though, this pop-up window 36 is located within a window area (the Microsoft Word window) of the primary display region, it clearly overlaps with information displayed and, thus, obstructs the information displayed in the window area. According to the limitations of the present independent claims, such a possible obstruction of information is avoided. Thus, Applicant believes that the amended independent claims are not anticipated by Oran.

The dependent claims include all the limitations of the present independent claims and, thus, should be allowable at least to the extent of the independent claims. Furthermore, Applicant amended claim 24 to be in conformity with the specification which discloses that a user can reply by inputting messages within the work space window. See page 18-19 of the original specification. This limitation is neither disclosed nor suggested by the prior art. Applicant believes that for the above reasons the other independent claims are not anticipated by the prior art and, therefore, defers any discussion of obviousness with respect to these claims at this time.

## **CONCLUSION**

The application as defined in the pending claims is patentable under 35 U.S.C. §103 in view of the cited prior art. Therefore, applicants respectfully request withdrawal of the rejection and allowance of all pending claims.

Applicants do not believe that any other fees are due at this time; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct the fees from Deposit Account No. 02-0383, (*formerly Baker & Botts, L.L.P.*) Order Number 071308.0414.

BAKER BOTTS, L.L.P.

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